

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

COMMONWEALTH EDISON) No. 12-0431
 COMPANY)
)
 APPLICATION OF COMMONWEALTH)
 EDISON COMPANY FOR A CERTIFICATE)
 OF PUBLIC CONVENIENCE AND NECESSITY,)
 PURSUANT TO SECTION 8-406 OF THE ACT,)
 TO INSTALL, OPERATE AND MAINTAIN A NEW)
 138,000 KILOVOLT ELECTRIC TRANSMISSION)
 LINE AND A NEW SUBSTATION IN WILL AND)
 COOK COUNTIES, ILLINOIS.)

CHICAGO, ILLINOIS
 AUGUST 21, 2012

Met pursuant to notice at 10:00 a.m.

BEFORE: JOHN RILEY, Administrative Law Judge

APPEARANCES:

ROONEY, RIPPKE & RATNASWAMY, LLP
 350 West Hubbard Street
 Suite 600
 Chicago, Illinois 60654
 (312) 447-2300

BY: MR. JOHN ROONEY & MS. SUSAN RUBNER
 Appearing on behalf of Commonwealth
 Edison Company;

STATE OF ILLINOIS COMMERCE COMMISSION
 160 North LaSalle Street
 Suite C-800
 Chicago, Illinois 60601
 (312) 814-1156

BY: KIMBERLY SWAN & JESSICA CARDONI

Appearing on behalf of Staff of the
 Illinois Commerce Commission;

1 APPEARANCES: (Continued)

2
3 EXELON CORPORATION-LEGAL SERVICES
4 10 South Dearborn Street
5 49th Floor
6 Chicago, Illinois 60680-5930

7 (312) 394-3623

8 BY: MR. RICHARD BERNET,
9 Appearing on behalf of Exelon;

10

11 YUKON DEVELOPMENT, INC.

12 P.O. Box 1378

13 New Lenox, Illinois 60451

14 (815) 740-0808

15 BY: MR. KRIS COZZO

16 Appearing on behalf of Yukon Development;

17

18 L.A. COURT REPORTERS, LLC.

19 8 West Monroe Street

20 Suite 2007

21 Chicago, Illinois 60603

22 (312) 419-9292

BY: KRISTINE LYNN LAPETINA, CSR

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I N D E X

Witnesses Direct Cross Redirect Recross Examiner

None

EXHIBITS

Number For Identification In Evidence

None taken

1 JUDGE RILEY: Good morning. Pursuant to the
2 direction of the Illinois Commerce Commission, I
3 call Docket 12-0431.

4 And this is an application by
5 Commonwealth Edison Company for a certificate of
6 public convenience and necessity pursuant to
7 Section 8406 of the act to install, operate and
8 maintain a new 138 thousand kilovolt electric
9 transmission line and a new substation in Will
10 and Cook Counties Illinois.

11 And for Commonwealth Edison,
12 appearance, please?

13 MR. BERNET: On behalf of Commonwealth
14 Edison, Richard Bernet, 10 South Dearborn
15 Street, Suite 4900, Chicago 60603;
16 (312) 394-3623.

17 MR. ROONEY: Also on behalf of Com Ed,
18 John Rooney and Susan Rubner of the firm Rooney,
19 Rippie & Ratnaswamy, LLP 350 West Hubbard Street
20 Suite 600, Chicago, Illinois 60654.

21 JUDGE RILEY: Okay. Thank you.

22 And for commission staff?

1 MS. SWAN: On behalf of the staff of the
2 Illinois Commerce Commission, Kimberly Swan and
3 Jessica Cardoni, 160 North LaSalle Street,
4 Suite C-800, Chicago, Illinois 60601.

5 JUDGE RILEY: And the parties have advised
6 me that they have agreed upon a schedule in this
7 matter for testimony of another status date?

8 MR. BERNET: Yes, we have. So we've agreed
9 on October 3rd for staff direct testimony;
10 October 24th for Com Ed rebuttal and a status
11 hearing or evidentiary hearing on October 31st.

12 We've also agreed that Com Ed will
13 respond to discovery within 21 days but make
14 best efforts to respond within 14.

15 JUDGE RILEY: Now, do we know whether or not
16 there is an issue in this matter or is that
17 going to possibly -- Do we anticipate that the
18 discovery will identify that one way or the
19 other?

20 MR. ROONEY: I mean, we're responding to
21 discovery right now. We've responded to some
22 requests. I think Mr. Rockwere (phonetic) wants

1 to come up for a tour of the --

2 MS. CARDONI: I believe that has been
3 scheduled.

4 MR. BERNET: That's already scheduled?

5 MS. CARDONI: Uh-huh.

6 MR. ROONEY: So I think we won't know
7 until -- until, you know, we get a little
8 further into discovery.

9 JUDGE RILEY: Okay. I think what I'll do is
10 I'll -- When I send the notice out, I'll put it
11 down for a hearing, and if there is no need for
12 a hearing, we can reduce it to a status or treat
13 it as we need to when we get to that point.

14 MR. BERNET: Yeah. Maybe admit the
15 testimony by affidavit or something.

16 JUDGE RILEY: Sure. Right.

17 MR. ROONEY: We will probably inform you in
18 advance so that you have an idea of what's
19 coming at you the 31st.

20 JUDGE RILEY: Right. And I appreciate that,
21 yes. I like to know what's coming at me.

22 MS. CARDONI: Judge, would you like to pick

1 a time on the 31st?

2 JUDGE RILEY: 10:00 a.m.; is that all right?

3 MS. CARDONI: Perfect.

4 MR. ROONEY: Yeah. That's good.

5 JUDGE RILEY: Anything else we need to talk
6 about?

7 MR. BERNET: I don't think so.

8 (Interruption)

9 JUDGE RILEY: Excuse me. I'm sorry. Go
10 ahead.

11 MR. COZZO: My name is Kris Cozzo from
12 Yukon Development. I'm the president of Yukon
13 Development. And I'm one of the landowners
14 where they plan on putting some -- these high
15 tension wires at. And I just want to be here
16 for the record; that I oppose their original
17 letter that Com Ed sent me.

18 JUDGE RILEY: Okay. What the procedure
19 would be would be for you to file a petition for
20 leave to intervene in this matter.

21 MR. COZZO: Okay. I was advised by my
22 attorney. He couldn't be here, so he advised me

1 to be here, so I'm on the record that I was
2 here.

3 JUDGE RILEY: Okay. It's understood. But
4 have your attorney file then. If you are
5 represented by counsel, have your attorney file
6 a petition for leave to intervene in the matter;
7 that's the procedure. And that would make you a
8 party to it.

9 MR. COZZO: Okay.

10 MR. BERNET: And just so the record's clear,
11 then, Your Honor, to the extent that this
12 gentleman intervenes, his testimony would also
13 be due or his -- on behalf of him, on
14 October 3rd as well.

15 JUDGE RILEY: Right.

16 Right. Any testimony would be due on
17 October 3rd. That's the date we have scheduled.

18 MR. COZZO: Okay.

19 JUDGE RILEY: That's staff direct testimony
20 is due that date.

21 MR. ROONEY: So it would be staff and
22 intervener -- any intervener testimony?

1 JUDGE RILEY: Right staff and intervener.

2 MR. COZZO: I'm assuming that's October 3rd
3 of this year?

4 JUDGE RILEY: Yes.

5 Anything further?

6 MS. SWAN: Nothing from staff.

7 JUDGE RILEY: All right. Then we have this
8 scheduled.

9 Then I'll continue this matter to
10 October 31st, and I'll wait for the submission
11 of the staff director -- and any intervener and
12 the petitioner's rebuttal.

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